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IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant(s): Michael Sittinger et al.

Serial No.: 10/706,065

Filed: November 12, 2003

For: BOOK PRODUCTION DEVICE
WITH DEMAND PRINTER AND
METHOD FOR PRODUCING BOOKS

Group Art Unit: 3651

Examiner: Leslie A. Nicholson III

Atty. Docket No.: X014A

Customer No. 29471

DECLARATION OF MICHAEL SITTINGER UNDER 37 C.F.R. § 1.132

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Michael Sittinger, hereby declare and state:

1. I am a co-inventor of the present application and am currently employed by RR Donnelley (hereinafter "RRD"), the assignee of the above-identified application. I am currently a project manager involved with project management and new technology assessment in various facets of publishing, printing, and binding technologies. I have been continuously employed by RRD since 1980. Between 1980 and 1988, I was a project manager and my responsibilities included supervision of projects directed toward improving capabilities of pre-press, web offset printing presses, and binding line systems. I also planned, installed, and supported the operation of binding line controls and systems for customized binding of magazines during this period. From 1989 to 1994, I worked as a manager and my responsibilities included managing manufacturing and engineering operations for a 24-hour \$20 million pre-press service center operation with a staff of 240 employees. Further, I worked as a manager of various RRD business locations between

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1994, and 1999, during which time I was responsible for engineering, maintenance, and information technology related aspects of a magazine publishing and printing operation. Since 2000, I have worked as a project manager supervising productivity, quality, and revenue enhancement projects related to ink jet printing, binding line operation, co-mailing, and multiple signature insertion.

2. I am familiar with the technology used to produce customized books with demand printers. I am also familiar with the theory, design, and implementation of structural and functional aspects of feeding devices, gathering lines, and book customization on binding lines (e.g., using ink jet printing devices). I believe that I possess at least the level of skill of a person of ordinary skill in the art of customized book production, feeding devices, and gathering lines used in the production of customized books.

3. I have read and understand the present patent application specification, the claims of such patent application as currently written, and the pending Office action dated August 7, 2007.

4. Upon information and belief, claims 1-55 of the present application have been rejected as obvious over varying combinations of Dooley U.S. Patent No. 6,257,566, Graushar U.S. Patent No. 5,100,116, or Weller U.S. Patent No. 4,989,850, and Warmus *et al.* U.S. Patent Nos. 6,327,599 and 5,963,968. I have reviewed and understand the content of these cited patents.

5. Dooley discloses a binding line including a gathering conveyor, a plurality of packer boxes that are adapted to deliver a pre-printed signature having a reserved portion to the gathering conveyor, a feeder system operatively associated with at least one of the packer boxes, and an ink jet printer that is adapted to print a message or graphic onto the reserved portion of the pre-printed signature.

6. Graushar discloses a printing system for customizing folded signatures in a collating and binding line having a number of spaced signature feeders and an auxiliary feeder. The auxiliary feeder may be used to replace one or more of the signature feeders and includes ink jet heads that are adapted to print customized information at a predetermined location on each of the signatures therein.

7. Weller discloses a signature machine for feeding an unfolded signature from a pocket feeder down a raceway past a fixed ink jet printer that adds text to at least an inside

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page of the signature. The signature is folded thereafter so that the inside pages face one another.

8. Warmus *et al.* '599 and '968 disclose controlling an electronic press to print fixed and variable information and developing sets of template data representing associated template pages. Each set of template data includes master data representing fixed information and variable data representing an area of the page for variable information. The template data and a database are used to generate commands for a demand printer for printing different pages.

9. As shown in FIGS. 10-14 of the present application, the controller 100 disclosed therein controls production timing and determines the content of each signature based on customer data 102. In contrast, the controllers disclosed in the systems of Dooley, Graushar, and Weller are pre-programmed with information that consists essentially of names and addresses to be applied to predetermined portions of a signature. For example, the controller 60 of Dooley directs printer 56 to print a message that is programmed for each signature into a controller. It is my belief that each of the ink jet heads disclosed in the cited art inherently includes a speed tracking device that receives timing information from a binding line to enable the ink jet head to synchronize the printing speed thereof with the speed of the binding line. However, the demand printer disclosed in Warmus *et al.* '599 and '968 prints at a constant speed that does not typically vary in accordance with the speed of the binding line. Therefore, it is necessary to provide additional control functions and production timing that enables the demand printer to provide signatures to a binding line at precisely the time when the signatures are needed by the binding line.

10. It is my belief that a person of ordinary skill in the art of customized book production and in the art of feeding devices and gathering lines used in the production of such customized books would not have had any motivation to combine the demand printer disclosed in Warmus *et al.* '599 and '968 with any of the systems of Dooley, Graushar or Weller to arrive at the subject matter recited in claims 1-55 of the present application without some teaching of additional control functions and production timing. Further, a person of ordinary skill in the art of customized book production, feeding devices, and gathering lines used in the production of customized books could not have had a reasonable expectation of success by simply replacing the ink jet heads of the Dooley, Graushar or Weller with the demand printer disclosed in Warmus *et al.* '599 and '968. Specifically, the cited art lacks any

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teaching that would allow a person of ordinary skill in the art to successfully implement a controller that coordinates simultaneous issuance of print commands to the demand printer and operation of the gathering line, the demand printer, and the feeding device. This belief is grounded in my years of experience in the relevant field.

11. Claims 1-55 recite a controller that coordinates simultaneous issuance of print commands to a demand printer and operation of a gathering line, a demand printer, and a feeding device. Such coordination is not provided by the control systems of the binding lines that were known in the art at the time of the invention of the subject matter recited in claims 1-55.

12. The specification of the present application states that:

[t]he controller 100 controls production timing and further determines the content of each signature. Production timing is based on getting all the component parts of a book together into one chain space of the gathering line. For example, the book production apparatus of the present invention can coordinate a name on a catalog order blank included in a book with a name on a cover of the book, and can also coordinate the name on the catalog order blank with the variable page content of such book. This timing is based on knowing where the demand print systems and feeding devices are located in relation to each other and is usually measured in inches so that the measurement is speed independent. The content of each signature is based on the customer data 102. The mail sequencing file transmitted over the one or more lines 104 in FIG. 8 determines the timing of the variable print engine 106. There may be additional time required to print one or more signatures if the customer data 102 are complex. In such a case, the controller 100 orders a variable signature earlier in the production sequence so that the signature can be produced in time to meet the other book components at the proper place on the gathering line.

(Page 8, line 23 – page 9, line 7 of the present application). It is my belief that the foregoing teaches a person of ordinary skill in the art of customized book production and binding systems used in the production of customized books how to implement the required control functions, coordination, and production timing to implement the subject matter recited in claims 1-55 with a reasonable degree of expectation of success. Specifically, the teaching of coordinating a name on a catalog order blank to be included in a book with a name on a cover of the book, and coordinating a name on a catalog order blank with the variable page content of such book by ordering some variable signatures earlier in a production sequence teaches a person of ordinary skill in the art how to control production timing successfully.

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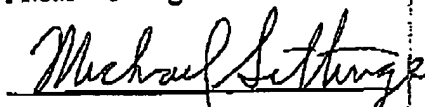
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13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the above referenced application or any patent issued thereon.

Michael Sittinger



Date: 1/17/08